6/18/68

Dear John,

Many thanks for your letter of 6/16 and the picture of CE 544. I no longer have to worry about the loss of metal to the rifling. I've often wondered how much to attribute to that.

If you haven't already ordered your copies of the prints from negatives from the Archives, may I suggest that you ask his certification each is from a pristine negative and of a single exposure through a comparison microscope? While I was talking to one of the men in a different room, Dick looked at some negatives I apologize for failing to. He can give you a statement but I cannot support it. Of course, I can go back and make the examination. It is my recollection Dick said the negatives are really pieced-together negatives. Another alternative, in advance of asking the certification, is to order xeroxes of the negatives. The connecting line might show as black.

Should they for any reason decline the certification, do you not have a vital point in court for their argument they make pictures available, don't they? If they do and it is false, you have an even more telling point. And if their certification is that these are, in fact, made negatives we have made evidence represented otherwise.

If I can find the time, next time I'm in DC I'll go and make the same examination, then be in a position to execute a statement. Also, how can you establish they photographed the printed page? By the screen? I fail to see why the uninspired Archives should go to this extra work and trouble, requiring the making of a negative, when they have a negative. Therefore, I wonder about their negative.

Perhaps I misunderstand inexact language we all use in haste, but if you really do intent to copyright something directly from the Archives and with nothing added, you will guarantee that your work will become public domain. Government property cannot be copyrighted, save as an anthology, etc. Be certain to put a combination together and make your explanatory material an integral part of you may run the risk of losing everything. I have already faced this problem in a different way and had expert help in solving it. If you can, handle all the pictures and the text, which will be your own, as a unit and in the application be certain to describe an anthology or you'll be delayed, lose the request, or, if they slip up and grant it, automatically be giving your stuff away with an invalid copyright, which has that effect.

I can see the marks on the head of CE544 with the naked eye. A microscope certainly showed them. Dick has not gotten his Archives pictures because the photographer has not yet mailed them. I have asked that the prints be mailed immediately and the negatives as soon as copied. He was not in. I spoke to his wife.

Sincerely,

Harold Weisberg

CC Bernabei